

THE ELLIS INQUIRY.

SECOND DAY OF THE INVESTIGATION.
SECURITIES OF THE MECHANICS' AND TRADERS' BANK—DEPRECIATED SOUTHERN BONDS—TESTIMONY OF RECEIVER REEST, JAMES M. JACKSON, AND FREDERICK P. BELLMAN.

The inquiry before the Senate Committee on Banks, relative to the charges preferred against Bank Superintendent Ellis by William J. Best, Receiver of the Mechanics' and Traders' Savings Institution, was continued yesterday morning at the St. Nicholas Hotel. All the members of the committee were present, as were also Messrs. Ellis and Best, and their respective counsel. Owing to the absence of witnesses, the examination was not begun until late in the morning. At the opening of the session, Mr. Best handed to the chairman a number of copies of his report as receiver of the bank, which, it was remarked, would be of interest in connection with the testimony to be heard. The receiver's report shows that in 1867 the Mechanics' and Traders' Savings Institution owned \$1,400,000 in United States bonds and other securities, of recognized value, and easily convertible, and besides those, \$83,100 in Southern bonds. In January last the trustees held none of the former securities, nor had they held them for several years previous, having exchanged a large number for state bonds of North and South Carolina, Alabama and Tennessee. A large number of New-York bonds were similarly exchanged. Mr. Best states that of these bonds \$330,000 were purchased of C. W. Joslyn & Co., friends of A. T. Conklin, President of the bank, and that it was through these purchases and a loan to the Atlantic Mail Steamship Company that the bank became insolvent. A loss of \$300,000 was incurred in the loan to the steamship company.

The first witness called yesterday morning was James M. Jackson, outside manager of the Lorillard estate in this city, a position that he has held for the last 16 years, and been indirectly connected with for a much longer period. He said he had visited the bank building in the Bowery, and had estimated that in September, 1874, its value was about \$50,000. He was not present at the sale, having made an appraisement recently at the request of William Mann.

Mr. Chapman objected to this testimony, remarking that there had been a great depreciation in the value of real estate in this city since 1874, and it would be folly to endeavor to hold Mr. Ellis responsible for this depreciation.

John McKeon claimed that it nevertheless went to show a greater negligence of his duties. What the property was valued at by Mr. Ellis years ago, under favorable circumstances, Mr. Chapman said could not be taken into account now. Mr. McKeon had claimed, however, that the building should have been closed, and the less in the depreciation in value saved, and Mr. Chapman replied that probably it would have been closed if this depreciation had been foreseen. Senator Coleman ruled that testimony regarding the value of property after July or August, 1874, was inadmissible.

Fredrie P. Bellamy, lawyer of Brooklyn, testified that in September, 1874, he was retained by Ira W. Gregory and William Floyd, two of the trustees, to look into the affairs of the institution, and take such steps as should be necessary for the protection of the trustees and depositors. They brought him statements showing the bank to be insolvent, and he then prepared a summons and complaint upon an application for the appointment of a receiver. The papers he prepared were shown to Mr. Ellis. The affidavits and schedules annexed were sworn to by Messrs. Gregory & Floyd, Sept. 27, 1874.

BURGLARS ATTEMPT AT MURDER.
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A FORTUNE-TELLER'S DUPE.
Mary Cole, who represented herself to be a daughter of "Sister Mary," a sorceress and fortune-teller, was placed on trial in the Court of General Sessions, charged with having committed theft while going about for fees, and with having uttered threatening language. She was the victim of one of her victims, Mrs. Martha Clayton, testifying that she had been to her house in Wooster St. in July last, and the ruffian had threatened to burn down her house if she did not pay him \$100. She had given him \$50, and he had threatened to burn down her house if she did not pay him another \$50.

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CANDIDATES FOR POLICE COMMISSIONER.
Jacob S. Schultz, Sinclair Tousley, and Russell C. Hawkins, representing the Society of Municipal Reform, called on Mayor E. D. yesterday and urged the retention of Police Commissioner Erdreich, Col. Hawkins said that Commissioner Erdreich had taken charge of the discipline of the force, and was not in any way responsible for the street cleaning. The police had become much more efficient under his training, and his experience was invaluable to the department. Mr. Schultz advocated the renomination on the ground that the Commissioner was not a partisan, and had not been governed in his administration by partisan prejudices. Mr. Schultz and his friends urged the appointment of a receiver, but would immediately examine the affairs of the bank, and take such steps as should be necessary for the protection of the trustees and depositors. They brought him statements showing the bank to be insolvent, and he then prepared a summons and complaint upon an application for the appointment of a receiver. The papers he prepared were shown to Mr. Ellis. The affidavits and schedules annexed were sworn to by Messrs. Gregory & Floyd, Sept. 27, 1874.

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CIVIL NOTES.
The hundred thousand dollar suit of August Chase against Philip Krueger, for the reduction of the plaintiff's fee, is set down for to-day before Judge Lawrence, in Supreme Court, Circuit.

In the suit of Otto Kuse against the New-York and New-Haven Railroad Company, already reported in THE TRIBUNE, the jury yesterday in Common Pleas, Trial Term, before Judge J. F. Daly, gave a verdict for the defendant.

On the petition of Mabel Leonard, Judge Donnelly, in Supreme Court, Chambers, yesterday granted a writ of habeas corpus to bring before him the petitioner's son, who was then in the custody of the State of Arizona. The boy was not allowed to see his child, and is able to take care of her.

Judge Robinson, in Common Pleas, Special Term, has rejected the divorce suit of Robert Harriet against Mary Anne Harriet, to Richard M. Henry, Mr. and Mrs. Harriet were married in February, 1873, but the plaintiff says there are no children of the marriage, though his wife has had a child, separated from her parents.

The Mayer limestone, Mr. McKeon claimed that the bank held these securities, and had bought these from whom purchase it was restricted by his charter, and that in permitting this he neglected his duty as trustee.

Mr. McKeon next offered in evidence the charter of the bank, calling attention to restrictions in the purchase and sale of bonds and loans upon bond securities, having to do with the Southern bonds held by the bank.

Mr. Chapman objected, arguing that the committee had no right to receive any proof except in support of the charges made, and in no communication from the Governor was there any allusion to this matter. As far as this, he had learned that the Attorney-General had given it as his opinion to Mr. Ellis that he could not have the Southern bonds declared. Judge McKeon claimed that Mr. Ellis must have known that the paper he prepared was to be used by the receiver, and the affidavits and schedules annexed were sworn to by Messrs. Gregory & Floyd, Sept. 27, 1874.

DESTRUCTIVE GALE AT GALVESTON.
GALVESTON, Texas, April 24.—A very severe gale, accompanied by rain and lightning, visited this coast at 4:15 this morning. It lasted only 15 minutes, but during that time the wind blew about 60 miles an hour. Considerable damage was done to buildings in the city and shipping in the harbor. The Galveston, Houston, and Henderson Railroad freight sheds, 300 feet long, were blown down, and part of the round house demolished. Eleven freight cars were wrecked. The main line freight sheds were destroyed. Parts of the walls of the Gulf City press, livery pens, and shipyards' piers were torn down. Taylor's warehouse, Taylor's warehouse, Sarley's block, Nichols' block, Rosenberg's block, Moody's & Johnson's block, and the Esopus block, were partially destroyed. The French block, a complete block of stone, containing 100 rooms, was entirely demolished. They then sent off to 60, and were now worth a few cents on the dollar. There was no sale for them now. The Tennessee State bonds held by the bank were also destroyed. The Comptroller of the State, in his report, said that the amount of the damage was \$100,000. Mr. McKeon claimed that the bank had no right to receive any proof except in support of the charges made, and that the deposition would be disregarded as having been taken in the course of a trial.

Mr. Chapman contended that the amount of the loss to the deponents ought to determine the importance of the case. If loss of only a few thousand dollars had fallen upon the deponent, he would have suffered little or no damage. The Southern bonds had been held by the bank in this case, several hundred thousand dollars. The previous question was then read, and Mr. Keon's last question was submitted to the committee and Mr. Chapman's objection. The question was, "What is the amount of the loss?" After a short consideration the committee sustained the objection and excluded the question.

The witness then continued, stating that he had already paid the expenses of the Mechanics' and Traders' Bank to 6 cents on the dollar. The witness had a complaint concerning the title to a lot in South Deadwood. After some harsh language, all drew revolvers and began firing. The result was that Daniel O. Broderick, who believed that his value was between \$50,000 and \$60,000, was shot dead, and A. Miller, of the same party, was severely wounded. Another disturbance in regard to a lottery took place, when which was fired, but one was not hit. In St. Louis, Mo., Cincinnati, Ohio, and Chicago, Ill.

SETTLEMENTS TO REAL ESTATE WITH PISTOLS.
DEADWOOD, D. T., April 24.—This afternoon a dispute arose in which seven persons were engaged, concerning the title to a lot in South Deadwood. After some harsh language, all drew revolvers and began firing. The result was that Daniel O. Broderick, who believed that his value was between \$50,000 and \$60,000, was shot dead, and A. Miller, of the same party, was severely wounded. Another disturbance in regard to a lottery took place, when which was fired, but one was not hit. In St. Louis, Mo., Cincinnati, Ohio, and Chicago, Ill.

An old man who owns a stall at the City Market took a notion a few days since to use his spare hours in bettering his education. Proceeding his studies in his free time, he began to learn the alphabet, and his wife, a widow, of spelling the words to himself, and engaged the services of a boy about 13 years old, and the next stall, to hear his lesson. Everything passed on all right for two or three days, and then a storm arose, and the boy, who was a schoolboy, was compelled to leave. The old man, however, continued to teach him, and his wife observed, "We now come to the word 'we-ome'." How do you spell it?" "Well, Sir, I spell it 'we-ome'." "Not correct." "K-o-n." "No, Sir." "Then it's k-o-n." "No, Sir." The boy, don't you know what it is?" "I am a fool." The old man replied, "I will repeat the lesson again." "Please let me go on and spell 'can' with a 'k,' 'horse' without an 'e,' 'boy' with a 'double o,' it, because you are old, and I didn't want to hurt your feelings. But when you can't do it, we will have to give up." When the boy came to the word 'to be,' he added, "I am as cheaply as they can and sell at the higher price they can get."

Mr. Keon then stated that he proposed to introduce the minutes of the board of directors, from 1873 to the date of the appointment of the receiver. He said that the board of directors had almost absolute power to examine books and papers, and if a minute showed that the financial condition of the bank was doubtful, these would be evidence of negligence on his part.

Mr. Chapman said that he did not consider this fair, for an important paper showing the true condition of the bank might be undisturbed in an open piec-

hole if the Superintendent's attention was not specially directed to it. Mr. McKeon answered that this was a different matter. Here the minutes showed that the directors were squandering, and many hints of the true condition of the bank could have been obtained.

Mr. Chapman contended that the Superintendent must be guided by the circumstances existing in the bank. A man could not tell all the details of all the banks as he was going along. Unless something attracted his attention the Superintendent was not negligent if he did not examine all the banks and make a report. He then visited it, it was more than 400 banks within his circuit, and, on the average, 300 working days in a year.

After consulting together a few minutes the committee decided to admit portions of the minutes as evidence. As Mr. Ellis could not produce his witness to-day the committee decided to adjourn, and sat at 10 o'clock on Monday next at the St. Nicholas Hotel.

EXCISE AGITATION.

HOPES AND FEARS OF THE LIQUOR DEALERS.

A week ago the liquor dealers were loud in their expressions of confidence in the entire success of their efforts, but now depression is beginning to assume the place of exultation. The leaders among them and the Agitation Committee express much dissatisfaction with the rank and file, whom they charge with total apathy in letting them to spend time and money in their interests. Said Mr. Hollander to a Tribune reporter yesterday: "I propose to have nothing further to do with the Agitation Committee. For the past three weeks I have been exerting myself to the utmost to make liquor dealers aware of their interests, and have failed. I am tired of this thing now; I am going to attend to my own business and let things take their course." That there is truth in the charge of apathy is shown by the fact that the members of the committee were present, as were also Messrs. Ellis and Best, and their respective counsel. Owing to the absence of witnesses, the examination was not begun until late in the morning. At the opening of the session, Mr. Best handed to the chairman a number of copies of his report as receiver of the bank, which, it was remarked, would be of interest in connection with the testimony to be heard. The receiver's report shows that in 1867 the Mechanics' and Traders' Savings Institution owned \$1,400,000 in United States bonds and other securities, of recognized value, and easily convertible, and besides those, \$83,100 in Southern bonds. In January last the trustees held none of the former securities, nor had they held them for several years previous, having exchanged a large number for state bonds of North and South Carolina, Alabama and Tennessee. A large number of New-York bonds were similarly exchanged. Mr. Best states that of these bonds \$330,000 were purchased of C. W. Joslyn & Co., friends of A. T. Conklin, President of the bank, and that it was through these purchases and a loan to the Atlantic Mail Steamship Company that the bank became insolvent. A loss of \$300,000 was incurred in the loan to the steamship company.

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A REPUDIATING AN INSURANCE CONTRACT.
Alice Chamberlain has sued the American National Life and Trust Company of Connecticut to recover the value of a \$10,000 policy on the life of her late husband. The insurance was originally taken out in the name of the husband for the benefit of his dependents. The plaintiff claims that the company has repudiated the contract, and that the sum paid to the dependents was not due to the company, but to the dependents.

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